

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. CR16-287-JLR  
10 v. )  
11 PABLO CATANO, ) ORDER DENYING DEFENDANT'S  
12 Defendant. ) MOTION TO REVIEW DETENTION  
 ) HEARING  
 )  
 )

14 Defendant Pablo Catano was indicted a charge of Conspiracy to Distribute Controlled  
15 Substances on October 26, 2016. (Dkt. 1.) Defendant was represented by Gabriel Banfi. (Dkt.  
16 52.) Following a detention hearing on November 9, 2016, the defendant was ordered detained.  
17 (Dkt. 96, 103.) Defendant is now represented by Peter Mazzone, and is awaiting trial. (Dkt.  
18 160.)

19 Defendant moves this Court to review the detention order and set conditions of Release.  
20 (Dkt. 274.) The government has filed a response in opposition to the motion. (Dkt. 277.) Judge  
21 Robart has referred the motion to the undersigned Magistrate Judge. The Court finds this motion  
22 appropriate for resolution without oral argument or an evidentiary hearing.

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01        Although defendant styled his request as a motion to review this Court’s detention order  
02 (18 U.S.C. §3145(b)), a motion to review a ruling of a magistrate judge must be filed within  
03 fourteen days of the entry of the ruling. (MJR 12(c)). Therefore, the Court will consider  
04 defendant’s request a motion to reopen the hearing based on 18 U.S.C. § 3142(f)(B), which  
05 provides that a detention hearing may be reopened “if the judicial officer finds that information  
06 exists that was not known to the movant at the time of the hearing and that has a material bearing  
07 on the issue whether there are conditions of release that will reasonably assure the appearance  
08 of such person as required and the safety of any other person and the community.” *Id.*

09 However, defendant’s motion fails on those grounds as well. Defendant does not cite  
10 §3142(f)(B), or present information alleged to have been unavailable at the time of the detention  
11 hearing, but simply re-presents the argument that defendant is an appropriate candidate for  
12 release. While defendant argues that his ties to this community are strong and his continued  
13 detention poses a hardship to his family and business interests, defendant also concedes that  
14 these arguments were presented at the detention hearing. (Dkt. 274 at 12-13.) Defendant fails  
15 to make the required showing that would justify reopening the Court’s determination that  
16 defendant poses a risk of danger and a risk of nonappearance.

17 Defendant's Motion for Reconsideration of Order of Detention is DENIED.

18 DATED this 17th day of April, 2017.

Mary Alice Theiler  
Mary Alice Theiler  
United States Magistrate Judge

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